

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

<p>In re:</p> <p>THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,</p> <p>as representative of</p> <p>THE COMMONWEALTH OF PUERTO RICO, <i>et al.</i>,</p> <p>Debtors.¹</p>	<p>PROMESA Title III</p> <p>Case No. 17-BK-3283-LTS</p> <p>(Jointly Administered)</p>
<p>In re:</p> <p>THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,</p> <p>as a representative of</p> <p>PUERTO RICO ELECTRIC POWER AUTHORITY,</p> <p>Debtor.</p>	<p>PROMESA Title III</p> <p>Case No. 17-BK-4780-LTS</p>
<p>THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,</p> <p>Plaintiff</p> <p>v.</p> <p>HON. PEDRO PIERLUISI, in his official capacity as Governor of Puerto Rico,</p> <p>Defendant</p>	<p>Adv. Proc. No. 24-00062-LTS</p>

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

and

SENATE OF PUERTO RICO, through Hon. José Luis Dalmau, in his official capacity as President of the Senate of Puerto Rico,

Intervenor – Defendant

**THE GOVERNOR’S URGENT UNOPPOSED MOTION FOR LEAVE TO EXCEED
PAGE LIMIT FOR HIS OPPOSITION TO FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO’S MOTION FOR SUMMARY
JUDGMENT UNDER BANKRUPTCY RULE 7056 AND REQUEST FOR RELIEF
UNDER RULE 56(D)**

To the Honorable United States District Court Judge Laura Taylor Swain and the Honorable Magistrate Judge Judith Gail Dein:

Governor Pedro R. Pierluisi, acting in his official capacity, respectfully submits this urgent motion, requesting entry of an order, substantially in the form attached as Exhibit 1, allowing the Governor to exceed the thirty-five (35) page limit set forth in paragraph I.E of the Case Management Procedures and to file an opposition to the Board's summary judgment motion not to exceed forty-five (45) pages, exclusive of the cover page, tables of contents and authorities, signature pages, exhibits, and certificate of service.

BACKGROUND²

1. On July 26, 2024, the Board filed this adversary proceeding against the Governor, seeking declaratory and injunctive relief to enjoin and nullify Act 10-2024. (*See* ECF No. 1.)
2. On September 11, 2024, the Governor answered the Complaint. (*See* ECF No. 28.)
3. On September 20, 2024, the Board requested leave to exceed the page limit for a memorandum of law in support of its summary judgment motion. (*See* ECF No. 37.)
4. On September 23, 2024, the Court granted the Board's extension request, allowing the Board to file a memorandum of law not to exceed forty (40) pages. (*See* ECF No. 38.)

² In this motion (i) "Board" means the Financial Oversight and Management Board for Puerto Rico; (ii) "Case Management Procedures" means the *Nineteenth Amended Notice, Case Management and Administrative Procedures* [Case No. 17-3283-LTS, ECF No. 27218-1]; (iii) "Governor" means Governor Pedro R. Pierluisi, in his official capacity; and (iv) "Urgent Motion" means *The Governor's Urgent Unopposed Motion for Leave to Exceed Page Limit for His Opposition to Financial Oversight and Management Board for Puerto Rico's Motion for Summary Judgment Under Bankruptcy Rule 7056 and Request for Relief Under Rule 56(d)*.

5. On September 25, 2024, the Board filed its summary judgment motion. (*See* ECF No. 45.)

JURISDICTION AND VENUE

6. This Court has subject matter jurisdiction over this matter under PROMESA section 306(a).

7. Venue is proper under PROMESA section 307(a).

RELIEF REQUESTED

8. Paragraph I.E. of the Case Management Procedures provides that “[u]nless prior permission has been granted . . . memoranda of law in support of motions or Objections are limited to thirty-five (35) pages.”

9. The Governor respectfully requests leave to file an opposition to the Board’s summary judgment motion not to exceed forty-five (45) pages, exclusive of the cover page, tables of contents and authorities, signature pages, exhibits, and certificate of service.

10. Prior to the filing of this Urgent Motion, counsel for the Governor reached out to the Board’s counsel, who stated that the Board does not oppose the Governor’s request.

11. There is good cause for granting the Governor’s request. Given the complexity and importance of the issues presented by the Board’s summary judgment motion, a 10-page extension is reasonable.

COMPLIANCE CERTIFICATION

12. Under Paragraph I.H of the Case Management Procedures, the Governor hereby certifies that he has carefully examined the matter and concluded that there is a true need for the urgent motion; has not created the urgency through any lack of due diligence; has made a bona

fide effort to resolve the matter without a hearing; has made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court; and that the Board does not oppose the request in this Urgent Motion.

NO PRIOR REQUEST

13. No prior request for the relief sought in this Urgent Motion has been made to this or any other court.

CONCLUSION

WHEREFORE, the Governor respectfully requests the Court enter the proposed order attached as Exhibit 1, granting the relief requested herein and all other relief as is just and proper.

Dated: October 17, 2024
San Juan, Puerto Rico

Respectfully,

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